

REMARKS

Claims 1-10 and 12-14 are pending in this application. By this Amendment, claim 14 is added. Support for the amendment to claim 14 may be found at least at page 17, lines 6-17 of the specification. No new matter is added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The Office Action, on page 2, rejects claims 1-10, 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,072,475 to Van Ketwich in view of U.S. Patent Application Publication No. 2001/0040551 to Yates et al. (hereinafter "Yates"). This rejection is respectfully traversed.

Claim 1 recites, among other features, the scroll control unit changes a scroll amount based on a distance from the predetermined point to the specification point, and changes a scroll direction based on a direction of the specification point with respect to the predetermined point when the display is scrolled from a first portion of the electronic program guide to a second portion of the electronic program guide, the second portion being different from the first portion.

Van Ketwich is directed to a touch screen that has an active surface area that extends in three physical dimensions (Abstract). The Office Action asserts that Van Ketwich teaches many of the features recited in at least independent claims 1 and 9. Specifically, the Office Action asserts that Van Ketwich, at col. 5, lines 36-67 and col. 7, lines 9-46, teaches features that allegedly correspond to the recited specification point detection unit and scroll control unit of claims 1 and 9. The Office Action concedes that Van Ketwich fails to teach scrolling from a first portion of the electronic program guide to a second portion of the electronic program guide, the second portion being different from the first portion. Rather, the Office Action relies on Yates, in its disclosure of a hand-held remote computer input peripheral with

touch pad used for cursor control and text entry on a separate display, to make up for this shortfall.

Yates is directed to a hand-held remote computer input peripheral for communicating with a host computer having a display screen (Abstract). The Office Action asserts that Yates, at paragraph [0061], teaches features that can be considered to correspond to the recited scroll from a first portion of the electronic program guide to a second portion of the electronic program guide, the second portion different from the first portion. Yates, at paragraph [0061], teaches that an operator controls a touch pad 14, in the pointing mode, to select an enhanced TV operating mode by using finger motions (gestures) on touch pad 14. For instance, the operator may select cable to be the enhanced TV operating mode by moving his finger to the area of the touch pad 14 corresponding to the cable button of the TV operating mode control panel 148 that is shown in Fig. 26 of Yates. A main menu 140 then displays the selected cable channel in a visual screen 142 of the enhanced TV. The operator may change the channel displayed in the visual screen 142 by moving his finger across the touch pad 14 when a TV program guide 150 is displayed on the enhanced TV as shown in Fig. 27 of Yates. Yates illustrates in Fig. 27, a program guide that has multiple regions, for instance, that indicate various programs that a user may select.

The Office Action asserts that it would have been obvious to one of ordinary skill to modify the touch screen of Van Ketwich to include the scrolling from a first portion of an electronic program guide to a second portion of an electronic program guide, as allegedly taught by Yates, for the advantage of having a touch pad that enables the harmonious working of one hand holding the peripheral with the other hand manipulating the touch pad. This analysis of the Office Action fails for at least the following reasons.

The Office Action overly broadly construes what Van Ketwich can reasonably be considered to have suggested with respect to the subject matter of the pending claims. Van

Ketwich, as discussed above, teaches a three-dimensional touch screen that has an active surface area. Van Ketwich illustrates, in Figs. 11A and 11B, three separate portions that separately enable a user to control a display that is connected to the input device 1810. Device 1810 cannot reasonably be considered to correspond to the recited displaying a part of an electronic program guide on a display screen and scrolling the display of a display area in response to specific operation on the display screen. Rather, Van Ketwich merely teaches that a remote is used to navigate using various so-called touch screens through a separate display. Yates fails to make up for this shortfall.

Further, to any extent that Van Ketwich teaches a touch screen, and Yates teaches a touch pad that may be held with one hand and operated by another, this is not a reasonable conclusion upon which to base the assertion that one of ordinary skill would have predictably combined any of the teachings of the references as is suggested by the Office Action with any reasonable expectation of success in achieving the objectives which are intended to be achieved by, and in the manner of, the subject matter of the pending claims.

Merely asserting that one of ordinary skill would have combined these references in the manner suggested does not support that these references would have been combinable. Van Ketwich is directed to a very specific touch screen arrangement which would not have been easily modified in view of Yates to allow a user to scroll the display, of a display area in response to operation on the display screen. Van Ketwich has separate touch screen regions that are merely control regions that react to touch and are not actually touch screens that incorporate a display as the Office Action suggests.

For at least the foregoing reasons, no reasonable combination of Yates with Van Ketwich would have suggested the combinations of all of the features recited in independent claims 1 and 9. Further, dependent claims 2-8, 12 and 13 are allowable for at least the

dependence of these claims on independent claims 1 and 9, as well as for the separately patentable subject matter that each of these claims recites.

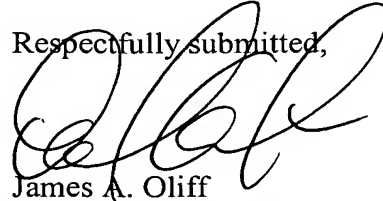
Accordingly, reconsideration and withdrawal of the rejection of claims 1-10, 12 and 13 under 35 U.S.C. §103(a) over Van Ketwich in view of Yates are respectfully requested.

Added claim 14 would not have been suggested by any combination of Van Ketwich and Yates because neither Van Ketwich nor Yates can reasonably be considered to have suggested a specification point detection unit that determines whether a user's finger is moved off of the display screen, and if the user's finger is moved off the display screen, the specification point detection unit determines an image area to which a move is to be made based on the specification point last detected by the specification point detection unit.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10 and 12-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number set forth below.

Respectfully submitted,



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